

Judge Hellerstein

06 CV 2892

Andrew J. Scholz (AS-7950)
FLEMMING ZULACK WILLIAMSON ZAUDERER LLP
One Liberty Plaza
New York, New York 10006-1404
(212) 412-9500

Attorneys for Defendant World Trade Center Properties LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ALBERTO ACEVEDO, *et al*,

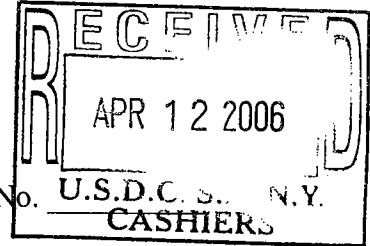
Plaintiffs,

- against -

1 WORLD TRADE CENTER LLC, *et al*,

Defendants.
-----X

Civil Action No. U.S.D.C. S.D. N.Y.



NOTICE OF REMOVAL

TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1441(a), 1442(a)(1), 1446(b) and the Air Transportation Safety and System Stabilization Act, Public Law No. 107-42, §401 et seq., as amended, 115 Stat. 230 (2001) (the "Act"), defendant the World Trade Center Properties LLC ("WTCP") hereby removes to the United States District Court for the Southern District of New York the action entitled Alberto Acevedo, et al., v. 1 World Trade Center LLC, et al., Index No. 102341/06, now pending in the Supreme Court of the State of New York, County of New York. The pertinent facts that establish the grounds for removal are as follows:

1. Upon information and belief, on or about February 16, 2006, plaintiffs commenced an action in the Supreme Court of the State of New York seeking damages for personal injuries, including respiratory and pulmonary injuries, allegedly sustained while

engaged in the emergency rescue, recovery, debris removal and clean-up of the destroyed World Trade Center buildings, including the sifting, removing, transporting and/or disposing of the debris of such buildings that were destroyed by the terrorist-related aircraft crashes of September 11, 2001. A copy of the Summons with Notice is annexed as Exhibit A.

Removal Is Authorized By 28 U.S.C. § 1441(a) and the Act

2. The United States District Court for the Southern District of New York has original and exclusive jurisdiction over this action. Congress, in section 408(b) of the Act, enacted a broad jurisdictional provision centralizing the resolution of all claims resulting from or relating to the terrorist related aircraft crashes of September 11, 2001 in the Southern District of New York:

(b) Federal cause of action.--

(1) Availability of action.--There shall exist a Federal cause of action for damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 and 77, and United Airlines flights 93 and 175, on September 11, 2001. . . . [T]his cause of action shall be the exclusive remedy for damages arising out of the hijacking and subsequent crashes of such flights.

* * *

(3) Jurisdiction.--The United States District Court for the Southern District of New York shall have original and exclusive jurisdiction over all actions brought for any claim (including any claim for loss of property, personal injury, or death) resulting from or relating to the terrorist-related aircraft crashes of September 11, 2001.

Act § 408(b)(1) and (b)(3), 49 U.S.C. § 40101 (as amended) (emphasis added).

3. On July 14, 2005, the Second Circuit Court of Appeals held that plaintiffs who allege that they suffered injuries at the World Trade Center disaster site while sifting, removing, transporting and/or disposing of World Trade Center debris may only state, if at all, a federal cause of action under the Act which must be adjudicated exclusively in the Southern

District. See In re: WTC Disaster Site Litig., 414 F.3d 352, 2005 WL 1649041 (2d Cir. 2005) (a copy of which is attached as Exhibit B).

4. Accordingly, since plaintiffs' allegations can only state, if at all, a federal cause of action under the Act, the United States District Court for the Southern District of New York has exclusive jurisdiction to adjudicate the instant lawsuit.

Removal Is Also Warranted By 28 U.S.C. § 1442(a)(1)

5. Removal of this action is also authorized by the federal officer jurisdiction provision in 28 U.S.C. § 1442(a)(1) which provides that

(a) A civil action . . . commenced in a State court against any of the following may be removed by them to the district court of the United States for the district and division embracing the place wherein it is pending:

(1) The United States or any agency thereof or any officer (or any person acting under that officer) of the United States or of any agency thereof, sued in an official or individual capacity for any act under color of such office

(Emphasis added.)

6. During all times that plaintiffs allege they performed emergency disaster-response efforts at the World Trade Center disaster site, the United States through federal agencies, including the Occupational Safety and Health Administration ("OSHA"), was active at the World Trade Center disaster site, inter alia, with respect to all aspects of the emergency debris removal. Thousands of federal employees were deployed there to deal with the ongoing public health and safety emergency. Specifically, public records show that with respect to the safety of persons entering the World Trade Center site, "[r]ight after the attacks numerous government agencies such as the Occupational Safety and Health Administration (OSHA), National Institute for Occupational Safety and Health (NIOSH), within the Department of Health and Human Services (HHS), EPA, and State and City agencies dispatched representatives to the

[World Trade Center] site to . . . establish appropriate safety measures and protocols.” See Statement of Marianne Jackson, Deputy Federal Coordinating Officer for the Federal Emergency Management Agency for the World Trade Center Disaster, February 11, 2002, submitted to a Senate Subcommittee, a copy of which is attached as Exhibit C. This statement is also available at http://epw.senate.gov/107th/Jackson_021102.htm.

7. Acting pursuant to the Federal Response Plan established under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended by Pub. L. 103-181, Pub. L. 103-337, and Pub. L. 106-390, October 30, 2000, 114 Stat. 1552 - 1575) “federal personnel and teams deployed into the disaster area . . . arrived with the necessary protective gear.” Id. Thereafter, “[s]ome 3,500 Federal workers were deployed to New York to support the disaster response, about 1,300 from FEMA, and almost 2,000 from other Federal departments and agencies.” Id. Among these federal workers were OSHA employees: “OSHA responded immediately to the September 11 terrorist attacks at the World Trade Center”. See Responding To Disaster by Bill Wright, at 17, a copy of which is attached as Exhibit D. This article is also available at <http://www.osha.gov/as/opa/911/pg17-23-jshq-v13-1-fall2001.pdf>. Patricia Clark, OSHA’s Regional Administrator in New York states that “OSHA ensured that all workers had access to safety and personal protective equipment...” Id.

8. OSHA directly undertook to “safeguard the health and safety of the recovery workers.” See “Inside the Green Line: OSHA Responds To Disaster,” at 5, a copy of which is attached as Exhibit E. This publication is also available at <http://www.osha.gov/Publications/osha3189.pdf>. Taking a leadership role, OSHA developed health and safety plans that addressed various disaster-related hazards, including, but not limited

to, those involving cranes, falls and falling objects, heavy equipment, explosions, hot steel, Freon and personal protective equipment. Id.

9. The foregoing establishes defendant's "colorable" defense of federal official immunity (federal agencies and officers exercised control over worker safety issues at the disaster site and, therefore, a causal nexus exists between plaintiff's worker safety claims at the disaster site and the alleged acts and omissions of the defendants). As such, federal courts have jurisdiction under federal officer subject matter jurisdiction pursuant to 28 U.S.C. § 1442(a)(1). As a result, federal jurisdiction pursuant to 28 U.S.C. § 1442(a)(1) exists so that the Port Authority may adjudicate this federal immunity defense in federal court.

10. Pursuant to 28 U.S.C. § 1446, a copy of this Notice of Removal is being filed with the Supreme Court of the State of New York, County of New York.

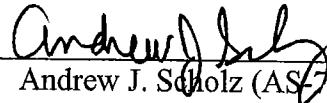
11. Pursuant to Rule 81.1(b) of the Local Civil Rules of the United States District for the Southern District of New York, within 20 days of the filing of the Notice of Removal, WTCP will file with the Clerk of this Court a copy of all records and proceedings in the state court.

12. WTCP reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, WTCP hereby removes the above-referenced action now pending against it in the Supreme Court of the State of New York, County of New York to this Court.

Dated: New York, New York
April 12, 2006

FLEMMING ZULACK WILLIAMSON
ZAUDERER LLP

By: 
Andrew J. Scholz (AS 7950)

One Liberty Plaza New York, New York 10006-1404
(212) 412-9500

Attorneys for Defendant World Trade Center
Properties LLC

281365

COUNTY OF NEW YORK

X

SUMMONS WITH NOTICE

Index No: 102341/06

FEB 7 2006

ALBERTO ACEVEDO, STEVEN ADELHELM, LUIS
ADRIANO, JOHN AKOS, KURT ALBERTSON,
NICHOLAS ALEXAKIS, MAYSAM ALJADER,
RICHARD ALVAREZ, ALBERTO ANDRADE,
ROBERT ANDREWS, MIKE ANNUNZIATE,
CARMINE ANTONIELLO, JOSE AQUINO, ARTURO
ARIAS, GUILLERMO ARRUBLA, STEVEN
AUERBACH, COLIN AUSTIN, MICHAEL
BADAGLIACCA, JASON BAHRT, DAVID BARHER,
MICHAEL BARNABLE, BENITO BARREIRO,
MICHAEL BARRY, JOHN BASIL, MICHAEL
BASSANO, JOHN BELL, JOSEPH BELLOMO, JOHN
BERARDI, ELIZABETH BERBERICH, CHRISTOPHER
BERGMANN, ANGEL BERNABE, ROBERT
BERRIOS, DARREN BILLENBECK, BARRY
BLANCHARD, KEITH BOBE, RONALD
BOCCHICHIO, JOHN BOLAND, JOHN BOMHOFF,
ANTHONY BONANNO, MILTON BONILLA,
WILLIAM BORAVES, HENRY BORAWSKI, WIKTOR
BOROWIECKI, MELBA BOYLES, KEVIN BRADLEY,
EDWARD BRAUN, HERMANN BRAUN, ALFRED
BRELAND, CHRISTOPHER BRIECKE, ANA
BROGAN, TANYA BROOKS, RAYMOND BRYAN,
STEVEN BRYSON, GEORGE BUONOCORE,
MICHAEL BURNS, CALVIN BURTON, JOANNE
BUTLER, TYRONE BUTLER, GEORGE BUTRICO,
JOHN CAHILL, SCOTT CALANDRA, STEVEN
CALLAHAN, MARYANN CAMARDA, MATTHEW
CAMERA, ANDREW CAMIOLO, FRANK
CAMPBELL, KENNETH CAMPBELL, JAMES
CAMUS, JOHN CANGIARELLA, SALVATORE
CANTONE, LOUIS CAPUANO, RUDOLPH CAROLEO
AND LORETTA A CAROLEO, WARREN
CARTWRIGHT, JOHN CASSIDY, BIENVENIDO
CASTILLO, PAUL CASTRO, DANTE CASTRO-
RECIO, MICHAEL CHAMPION, JEAN CHARLOT,
CARLOS CHAVEZ, HAN CHOI, STEVE CIRONE,
CHRIS CLARK, GEORGE CLARK, PAUL CLAUS,
ROBERT CLENDENNING, MICHAEL COADY,
JESSICA COCCODRILLI, ROBERT COCCODRILLI,
WILLIAM COCCODRILLI, MORRIS COFIELD,
BENJAMIN COLECCHIA, THOMAS COLL, ANGELO
CONETTA, ROBERT J CONKLIN, DANIEL CONWAY,
JAMES CORCORAN, GEORGE COREY AND
JEANETTE COREY, FREDERICK CORRUBIA,
DAVID CORTES, JANELLE COSTELLO, JOHN
COUSINS, ANTHONY CROCE, JAMES CRONIN,

Case 1:06-cv-02892-AKH Document 1 Filed 04/12/06 Page 9 of 31

CUADRADO, JOHNNY CUEVAS, ANGELO
CUOZZO, KATHLEEN CURNYN, JOSEPH
CUSUMANO, JOSEPH D'ANGELO, GARY
D'AUDREA, JOSEPH DE ROSA, FIDEL DE VIVO,
JAMES DEADY, MICHAEL DEFILIPPS, DENNIS
DELLAVALLE, ROBERT DELPRETE, NICHOLAS
DELUCA, FRANK DEMATTEO, WILLIAM DEMENT,
CHRISTOPHER DEMURO, JOSEPH DENT, RICHARD
DEPIETRO, CONRAD DEPINTO, DANIEL DEWITT,
JULIO DIAZ, MICHAEL DIETERICH, DAVID
DIMMLER, NICHOLAS DINATAEL, CHRIS
DIRUSSO, FRANCIS DISCOLO, JOSEPH DOHERTY,
MICHAEL DOLAN, FRANK DOLCE, HENRY
DOSKOCZ, JOHN DOWNEY, GENNE DUBELBEISS,
DEREK K. DUNSTON, ANA DURAN, ROBERT
ECHEVERRIA, STEVEN ECKERT, KEITH
EDWARDS, MICHAEL EDWARDS, ANNMARIE
ENNIS, ANTONY FABBRI, MICHAEL FAGAN,
JOSEPH FAILLA, VINCENT FALSITTA, MICHAEL
FELICE, JEFFREY FERNANDEZ, MICHAEL
FERRADO, JOSEPH FERRARO, JOSEPH FERRIOLO,
ALBERT FERRO, KEITH FESTA, DAMIEN FILS-
AIME, THOMAS FINNEGAN, JOHN FITZPATRICK,
SALVATORE FIUMEFREDDO, SAMUEL
FONTANEZ, JEFFREY FOSELLO, JEFFREY
FREIFELD, GARY FREITAG, ROBERT FUREY,
STEPHEN GADRY, PARAMJIT GAKHAL, FRANK
GALIA, FRANK GATO, THOMAS GEE, GEORGE
GEORGIADIS, RANDOLPH GIL, DANIEL GLATZ,
LAURENCE GOLDBERG, DAVID GOLEMBIOWSKI
AND JESSICA GOLEMBIOSKI, LUIS GOMEZ,
MOISES GOMEZ, MICHAEL GONSIESKI, ANTHONY
GORDON, RONALD GORDON, JAMES GRAF,
MICHELLE GRANICK, ANTHONY GRAVANO,
YANTI GREENE, AARON GREENSTEIN,
LAWRENCE GREGG, GREGORY GUARNERI,
MICHAEL GUARNIERI, PETER GUASTAMACCHIA
AND MARIA GUASTAMACCHIA, PETER GUELLA,
LISA GUERRIERO, STEPHEN GUGLIELMO,
ALBERT GUT, WILLIAM GUTCH, JUAN GUZMAN,
JULIAN HAMPDEN, STEVEN HANLY, MAHENDRA
HARIPERSAUD, JEFF HAWER, ANTHONY
HEINLEIN, CARLOS HERNANDEZ, ROBERT
HIBBINS, REGINALD HILAIRE, DEREK
HOLLOWAY, DEXTER HONORA, MICHAEL
HONOVICH, CRAIG HOO, EMMETT C HOSKINS,
MIRANDELLE HOUANCHE, ELLIOT HOUSTON,
JAMES IOVINO, BRIAN ISAACS, DANIEL
JACKSON, EDMUND JACKSON, CHRISTOPHER
JACOBELLIS, BRIAN JACOBSEN, MICHAEL

JARRATT, ROBERT JERSEY, KRISTOPHER JEZSEK,
CARLOS JIMENEZ, ALFRED JOHNSON, GARY
JOHNSON, KAMEEL JUMAN, DANIEL KAPPOCK,
JOHN KASSIMATIS AND ALEXANDRA
KASSIMATIS, THOMAS KAUFER, ROBERT KEANE,
RICHARD KEITH, TERESA KEITH, RAYMOND
KELLER, MARY ANN KELLY - CORBETT, PATRICK
KENNEDY, SCOTT KENNEDY, STEVEN KENNEDY,
STEPHEN KEOWN, PAUL KERRIGAN, ELLIOT
KLINBORSKY, LINDA KNORPP, MICHAEL
KORABEL, KENYETTA KORNEGAY - PICHARDO,
JOHN KOSTER, DEAN KOWALSKI, ROBERT
KREISS, ROBERT KURKOWSKI, ROY KURZ,
THOMAS KWASNAZA, NICHOLAS LABOY,
LEONARDO LAGO-CAMBEIRO, JUAN LAM,
PAMELA LAMBRIGHT, TOYA LANE, ANTHONY
LATA CZ, GEORGE LATIMER, MAIRA LEWIS,
SHARON LITROFF, STEVEN LOMBARDI, JOHN
LOMICKY, THOMAS LOOMIS, PEDRO LOPEZ,
RONALD LOWE, RICHARD LUCIFERO, THOMAS
LUGO, SALVATORE LUMIA, WILLIAM LUONGO,
ANTHONY LUSTICA, THOMAS LYNCH, JOHN
LYONS, KEVIN MADDEN, MICHAEL MAGENHEIM,
DENNIS MAIRA, MARGARET MAKOC, MARIANA
MALDONADO, JENNY MAMI, EDWIN MANGUAL,
RAYMOND MANISCALLO, GARY MANNINA,
SCOTT MANNINO, JEAN MANSFIELD, DONNA
MARSHALL, CHRISTOPHER MARSKI, HECTOR
MARTINEZ, MICHAEL MASSARO, GRACIE
MASSENBURG, CHRISTOPHER MATHUS, MARK
MAUCERI, BRANT MAYNARD, LEE MAZKLOWE,
BRIAN MCALLISTER, JEFFREY MCCABE,
WILLIAM MCCABE, EVERETT MCCAIN, GREGORY
MCCORMICK, RICHARD MCCUSKER, GERARD
MCDADE, WILLIAM MCLEE, SEAN MCNICHOLS,
DAVID MEDINA, VICTOR MELE, JAVIER
MELENDEZ, SALVATORE MESSINA, FADILA
METANOVIC, LEONARD MILLER, MARCELLO
MILONE, DENNIS MITCHELL, BRANDON MOHR
AND CHRISTINE MOHR, BRIAN MONACELLI,
CARMINE MONELLO, PHILIP MONGIOVI, JOHN
MONTALBANO AND CONSTANCE MONTALBANO,
PETER MONTGOMERY, DELVIS MORALES, PETER
MORAN, PETER MORRIS, RAHIM MORRIS, SCOTT
MORRISSEY, MILENA MORYC-DZIUBEK, RICHARD
MUELLER, ROBERT MULLIGAN, WILFRED
MUNOZ, MICHAEL MURPHY, SHAWN MURPHY,
WILLIAM MURRAY, RICHARD NAPOLITANO,
KENNETH NASH, PAUL NEAL, WILLIAM NEDOS,
JULIO NEGRON, GEORGE NELLSON, JENNY-ANN

MARITZA NIEVES, MICHAEL NOONE, MICHAEL O'BRIEN, CATHERINE O'CONNOR, THOMAS O'DEA, PATRICK O'SHAUGHNESSY, RICHARD OAKLEY, JULIO OLIVENCIA, JOSEPH OPRMAILA, ELVA ORBE, LUIS ORSINI, VICTOR OTERO, NATHALIE PACIFICO, LUIS PADILLA, DREW PALMER, JOHN PAOLUCCI, JOEL PARADES, NICHOLAS PASQUAVELLO, REYNALDO PAULINO, ROB PAULSEN, THOMAS PEPE, ADRIAN PEREZ, IRMA PEREZ, RAMONITA PEREZ, YVONNE PEREZ, FRED PERLIN, ERNEST PHILLIPS, FRANK PICIULLO, BARRY PIKAARD, JOSEPH PIZZUTO, MICHAEL PLATE, PAUL POGOZELSKI AND KAREN POGOZELSKI, PIOTR POROWSKI, DAVID PROSCIA, DONALD PRZYBYSZEWSKI, SALVATORE PULIZZOTLO, AUOREY PUSINS, JAMES QUILTY, RAYMOND J RAGUSA, JOSE RAMOS, JOSEPH RANAURO, LAWRENCE RAND, JOSE RECIO, ROBERT REID, JOSEPH REILLY, KARYN RESKO, DAVID REVANS, DANIEL RIVERA, DANIEL RIVERA, GERALDO RIVERA, THOMAS ROBINSON, ANTHONY ROCCO, COLIN ROGERS, RICHARD ROJAS, THOMAS ROJECKI, JAMES ROLLINS, MIECZYSLAW ROMANIUK, JOHN ROMANO, VINCENZO ROMANO, LAURA ROMER, DALIA ROMERO, LISA ROSADO, RICHARD ROSADO, BRIAN ROSS, GIOVANNINA RUGGIERO, MARIE RUSS, PASQUALE RUSSO, DAVID SAGER, DANIEL SALSEDO, JEFF SALTA, LEONEL SANMARTIN AND ANA ROSA, MARTIN SANTIAGO, ZAVEN SAVA, JAMES SCHIRALDI, KEVIN SCHLITZ, EUGENE SCHROEDER, TROY SEALY, MARK SEMIDAY, ANGEL SERRANO, LAWRENCE SESSO, FRANCIS SHIELDS, ENRIQUE SILVA, GERALDO SILVA, THOMAS SILVA, JASON SIMONE, RICHARD SINGH, GEORGE SINOPIDIS, PETER SITRO, EUGENIUSZ SKRZECZKOWSKI AND ALICJA SKRZECZKOWSKI, MICHAEL SLOAN, PETER SLOAN, WILLIAM SLOWSKI, CHRIS SMITH, GODFREY SMITH, WAYNE SMITH, JOHN SPILLANE, ROBERT ST. CLAIR, PETER STANISICH, KEVIN STEELE, JOHN SULLIVAN AND ROSA M SULLIVAN, MARK TAFFE, ANA TAHA, PEDRO TAMAYO AND GABRIELLA TAMAYO, DANIEL TARPEY, RICHARD TAYLOR, ROBERT THOMPSON, BRIAN P TIERNEY, BRIAN TOOHEY, ERICK TORRES, MOSES TORRES, RUBIN TORRES, GEORGE TULLY, MICHAEL TURCHIANO, JENNIFER URENA, STEPHEN VACZZOLA, ANTONIO VALENTIN, HECTOR VARGAS, CECILIA

EDGARDO VAZQUEZ, EDGAR VILLANUEVA,
LAVERN WATSON, THOMAS WEBER, EVAN
WEINBERG, KEITH WELZ, CHRISTOPHER WENDT,
DAWN WESTCOTT, PETER WESTCOTT, GARY
WHITE, PATRICK WHITE, OLIVER WHITES, LINDA
WHITLEY-WARREN, ROBERT WIBREN, DIANE
WILLIAMS, RUDOLPH WILLIAMS, STEPHEN
WILLIAMS, BRENDAN WINKLE, MICHAEL
WITTMAN, MICHAEL WOHN, CLARENCE WRAGG,
RICHARD A WRIGHT, RONALD YATES, BRIAN
YONKER, WILLIAM YOUNG, DEREK YUENGLING,
MARYELLEN YUREK, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF STEPHEN
YUREK, AND MARYELLEN YUREK
INDIVIDUALLY, KENNETH ZACHAR, ALEJANERO
ZAPATA, SUSAN ZAPOLUCH, JOHN ZARNOWSKI,
JOHN ZULTANKY,

Plaintiff(s),

-against-

1 WORLD TRADE CENTER LLC; 1 WTC HOLDINGS
LLC; 2 WORLD TRADE CENTER LLC.; 2 WTC
HOLDINGS LLC.; 4 WORLD TRADE CENTER LLC.; 4
WTC HOLDING LLC.; 5 WORLD TRADE CENTER
LLC.; 5 WTC HOLDING LLC.; A RUSSO WRECKING, INC.;
ABM; ABM INDUSTRIES, INC.; ABM JANITORIAL
NORTHEAST, INC.; AMEC CONSTRUCTION
MANAGEMENT, INC.; AMEC EARTH &
ENVIRONMENTAL, INC.; ANTHONY CORTESE
SPECIALIZED HAULING LLC.; ATLANTIC HEYDT CORP.;
BECHTEL CONSTRUCTION, INC.; BECHTEL
CORPORATION; BECHTEL ENVIRONMENTAL, INC.;
BERKEL & COMPANY, CONTRACTORS, INC.; BFP
Tower C Co. LLC; BIG APPLE WRECKING &
CONSTRUCTION CORP.; BOSTON PROPERTIES; BOVIS
LEND LEASE LMB, INC.; BOVIS LEND LEASE, INC.;
BREEZE CARTING CORP.; BREEZE NATIONAL INC.;
BRER-FOUR TRANSPORTATION CORP.; BURO
HAPPOLD CONSULTING ENGINEERS, P.C.; C & D
FIREPROOFING & PLASTERING CORP.; C.B.
CONTRACTING CORP; CANRON CONSTRUCTION
CORP.; CANTOR SEINUK GROUP; CERTIFIED FENCE
CORP.; CIVETTA-COUSINS JV, L.L.C.; CLARCOR AIR
FILTRATION PRODUCTS, INC.; COMPONENT ASSEMBLY
SYSTEMS, INC.; CONSOLIDATED EDISON
COMMUNICATIONS HOLDING COMPANY, INC.;
CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.; CONSOLIDATED EDISON

ENERGY, INC.; CONSOLIDATED EDISON SOLUTIONS, INC.; CONSOLIDATED EDISON, INC.; COORDINATED METALS, INC.; CORD CONTRACTING CO., INC.; CRAIG TEST BORING COMPANY INC.; CRITICOM INTERNATIONAL CORPORATION; CUSHMAN & WAKEFIELD, INC.; D'ONOFRIO GENERAL CONTRACTORS CORP.; DAKOTA DEMO-TECH, INC.; DCM ERECTORS, INC.; DIAMOND POINT EXCAVATING CORP.; DIEGO CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.; DMT ENTERPRISE, INC.; EAGLE LEASING & INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING CONTRACTORS INC; EAGLE SCAFFOLDING CO., INC.; EJ DAVIES, INC.; EN-TECH CORP.; ET ENVIRONMENTAL; EVERGREEN RECYCLING OF CORONA(EROC); EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL SERVICES, P.C.; F&G MECHANICAL, INC.; FELIX EQUITES, INC.; FLEET TRUCKING, INC.; FRANCIS A. LEE EXTERIOR RESTORATION, INC.; FRANK MICELLI JR.CONTRACTING, INC.; FTI TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK, LLP, GOLDSTEIN ASSOCIATES CONSULTING ENGINEERS, PLLC.; GRACE INDUSTRIES, INC.; HALLEN WELDING SERVICE, INC.; HELMSMAN MANAGEMENT SERVICES, INC.; HGC CONTRACTING CORP.; HIGH-RISE ELECTRIC, INC.; HIGH RISE HOISTING AND SCAFFOLDING, INC.; JP EQUIPMENT RENTAL MATERIALS, INC; LAQUILA CONSTRUCTION INC.; LASTRADA GENERAL CONTRACTING CORP.; LESLIE E. ROBERTSON ASSOCIATES CONSULTING ENGINEERS P.C.; LIBERTY MUTUAL INSURANCE COMPANY; LIBERTY MUTUAL MANAGED CARE INC.; LOCKWOOD, KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.; LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT BROTHERS INCORPORATED; MAZZOCCHI WRECKING, INC.; MEDCOR MENT BROS. IRON WORKS CO., INC.; MERIDIAN CONSTRUCTION GROUP; MOODY'S INVESTORS SERVICE; MRA ENGINEERING, PC; MUESER RUTLEDGE CONSULTING ENGINEERS, INC; MUSCO SPORTS LIGHTING, LLC.; NACIREMA INDUSTRIES INCORPORATED; NEW YORK CRANE & EQUIPMENT CORP.; NYC INDUSTRIAL DEVELOPMENT AGENCY; NICHOLSON CONSTRUCTION COMPANY; OLYMPIC PLUMBING & HEATING CORP.; OVE ARUP & PARTNERS P.C.; PARSON GROUP, INC.; PETER SCALAMANDRE & SONS, INC.; PINNACLE; PINNACLE ENVIRONMENTAL CORP.; PLAZA CONSTRUCTION CORP.; PLAZA CONSTRUCTION MANAGEMENT CORP.; PRO SAFETY SERVICES LLC.; PT & L CONTRACTING CORP.; REGIONAL SCAFFOLDING &

ROBERT ERRAT; ROBERT L. GEROSA, INC.; ROYAL
GM, INC; SAB TRUCKING INC.; SAFEWAY ENVIRONMENTAL
CORP.; SEASONS INDUSTRIAL CONTRACTING; SHELDRAKE
ORGANIZATION, INC.; SILVERITE CONTRACTING
CORPORATION; SILVERSTEIN DEVELOPMENT CORP;
SILVERSTEIN PROPERTIES INC; SILVERSTEIN
PROPERTIES; SILVERSTEIN WTC FACILITY
MANAGER LLC.; SILVERSTEIN WTC LLC;
SILVERSTEIN WTC MGMT CO. LLC.; SILVERSTEIN
WTC PROPERTIES LLC.; SIMPSON GUMPERTZ & HEGER
INC.; SKIDMORE, OWING & MERRILL LLP; STAR DELTA
ELECTRIC, INC.; STIER ANDERSON, LLC.; SURVIVAIR;
TISHMAN CONSTRUCTION CORPORATION OF
MANHATTAN; TISHMAN CONSTRUCTION
CORPORATION OF NEW YORK; TISHMAN SPEYER
PROPERTIES; TOMASETTI GROUP, INC.; TORRETTA
TRUCKING, INC.; TOTAL SAFETY CONSULTING, L.L.C.;
TRIO ASBESTOS REMOVAL; TUCCI EQUIPMENT RENTAL
CORP.; TULLY CONSTRUCTION CO., INC.; TULLY
CONSTRUCTION COMPANY; TULLY
ENVIRONMENTAL INC.; TULLY INDUSTRIES, INC.;
TURNER CONSTRUCTION CO.; TURNER
CONSTRUCTION COMPANY; TURNER
CONSTRUCTION INTERNATIONAL, LLC.;
ULTIMATE DEMOLITION/CS HAULING (JOINT
VENTURE); UNITED STATES REBAR, INC; VOLLMER
ASSOCIATES LLP.; W HARRIS & SONS INC.; WEEKS
MARINE, INC.; WEIDLINGER ASSOCIATES, CONSULTING
ENGINEERS, P.C.; WESTFIELD AMERICA, INC;
WESTFIELD WTC HOLDING LLC; WESTFIELD WTC,
LLC.; WFP TOWER D. Co., LP; WHITNEY CONTRACTING
INC.; WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE
CENTER PROPERTIES LLC.; YANNUZZI & SONS,
INC; YONKERS CONTRACTING COMPANY, INC.; YORK
HUNTER CONSTRUCTION, LLC; ZIEGENFUSS DRILLING, INC.,
Defendant(s).

-----X

To the above-named defendant(s):

You are hereby summoned and required to serve upon plaintiff's/plaintiffs' attorney, at the address stated below, a notice of appearance or demand for a complaint.

If this summons was personally delivered upon you in the State of New York, the answer must be served within twenty days after such service of the summons, excluding the date of service. If the summons was not personally delivered to you within the State of New York, the answer must be served within thirty days after service of the summons is complete as provided by law.

Case 1:06-cv-02892-AKH Document 1 Filed 04/12/06 Page 15 of 31
deems just and proper for exposure to toxic contaminants, including but not limited to: fumes, gasses, mists, vapors, dust, fibers, particles, substances, and/or radiation at or around the World Trade Center Site, Ground Zero, Fresh Kills Landfill, and/or in the area and buildings surrounding the World Trade Center Site following terrorist attacks on September 11, 2001. This exposure caused plaintiff's/plaintiffs' injuries, including but not limited to: acid reflux disease, asthma, Barrets Esophagus, bronchial inflammation, bronchitis, bullous disease of the lungs, cancer, chemical pneumonitis, chronic bronchitis, chronic cough, chronic laryngitis, chronic pneumonia, chronic rhinitis, chronic sinusitis, chronic obstructive pulmonary disease (COPD), emphysema, gastroesophageal disease (GERD), hearing loss, laryngitis, malignant mesothelioma, nasal polyps, neurological problems, peritonsillar cellulitis, pharyngitis, pneumonia, polyps on the larynx, polyps on the throat, reactive airway dysfunction syndrome (RADS), rhinitis, sarcoidosis, silicosis, sinus polyps, sinusitis, ulcerative colitis, vocal chord dysfunction, and exacerbation of a prior existing condition or conditions.

Your action(s) and/or failure to act, constitutes carelessness, negligence and/or recklessness, and is the sole and proximate cause of plaintiff's/plaintiffs' toxic exposure, and resulting injuries, illnesses and damages.

Your failure and/or the failure of your agents, servants, representatives and/or employees to comply with, including but not limited to, the following: General Municipal Law of the State of New York §205-e and §205-a; the Occupational Safety and Health Act, 29 U.S.C. §§ 654 et seq.; Occupational Safety and Health Administration (OSHA) standards, including but not limited to, 29 C.F.R. §1910 Subparts H, I, J, K and Z, and specifically 29 C.F.R. §§1910.38, 1910.120, 1910.132-134, 1910.146, 1910.156, 1910.1001, 1910.1025, 1910.1027, 1910.1000 and 1910.1200; 29 C.F.R. §1926 Subparts C, D, E, F, G, H, I, J and Z; The New York Industrial Code, including but not limited to: §§23-1.5, 23-1.7, 23-1.8, 23-1.9, 23-1.25, 23-1.26 and 23-2.1; New York State Labor Law, including but not limited to: §§200, 240, 241(6), Article 2, §27-a, Article 28; 12 N.Y.C.R.R. §820.4; and other applicable Federal, State and local rules, regulations, ordinances and statutes is the proximate cause of plaintiff's/plaintiffs' injuries, toxic exposure and resulting damages.

If you do not serve a notice of appearance or demand for a complaint within the applicable time limitation stated above, a judgment may be entered against you, by default, for a sum greater than the jurisdictional limits of all lower courts, with interest, and the costs and disbursements of this action.

The action will be heard in the Supreme Court of the State of New York, in and for the County of New York. The basis of venue is N.Y. C.P.L.R. §509.

Dated: New York, New York
February 16, 2006



Christopher R. LoPalo
Attorney for Plaintiff
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
115 Broadway, 12th Floor

ALBERTO ACEVEDO, STEVEN ADELHELM,
LUIS ADRIANO, JOHN AKOS, KURT
ALBERTSON, NICHOLAS ALEXAKIS,
MAYSAM ALJADER, RICHARD ALVAREZ,
ALBERTO ANDRADE, ROBERT ANDREWS,
MIKE ANNUNZIATE, CARMINE
ANTONIELLO, JOSE AQUINO, ARTURO
ARIAS, GUILLERMO ARRUBLA, STEVEN
AUERBACH, COLIN AUSTIN, MICHAEL
BADAGLIACCA, JASON BAHRT, DAVID
BARHER, MICHAEL BARNABLE, BENITO
BARREIRO, MICHAEL BARRY, JOHN BASIL,
MICHAEL BASSANO, JOHN BELL, JOSEPH
BELLOMO, JOHN BERARDI, ELIZABETH
BERBERICH, CHRISTOPHER BERGMANN,
ANGEL BERNABE, ROBERT BERRIOS,
DARREN BILLENBECK, BARRY
BLANCHARD, KEITH BOBE, RONALD
BOCCHICHIO, JOHN BOLAND, JOHN
BOMHOFF, ANTHONY BONANNO, MILTON
BONILLA, WILLIAM BORAVES, HENRY
BORAWSKI, WIKTOR BOROWIECKI, MELBA
BOYLES, KEVIN BRADLEY, EDWARD
BRAUN, HERMANN BRAUN, ALFRED
BRELAND, CHRISTOPHER BRIECKE, ANA
BROGAN, TANYA BROOKS, RAYMOND
BRYAN, STEVEN BRYSON, GEORGE
BUONOCORE, MICHAEL BURNS, CALVIN
BURTON, JOANNE BUTLER, TYRONE
BUTLER, GEORGE BUTRICO, JOHN CAHILL,
SCOTT CALANDRA, STEVEN CALLAHAN,
MARYANN CAMARDA, MATTHEW
CAMERA, ANDREW CAMIOLO, FRANK
CAMPBELL, KENNETH CAMPBELL, JAMES
CAMUS, JOHN CANGIARELLA, SALVATORE
CANTONE, LOUIS CAPUANO, RUDOLPH
CAROLEO AND LORETTA A CAROLEO,
WARREN CARTWRIGHT, JOHN CASSIDY,
BIENVENIDO CASTILLO, PAUL CASTRO,
DANTE CASTRO-RECIO, MICHAEL
CHAMPION, JEAN CHARLOT, CARLOS
CHAVEZ, HAN CHOI, STEVE CIRONE, CHRIS
CLARK, GEORGE CLARK, PAUL CLAUS,
ROBERT CLENDENNING, MICHAEL COADY,
JESSICA COCCODRILLI, ROBERT
COCCODRILLI, WILLIAM COCCODRILLI,
MORRIS COFIELD, BENJAMIN COLECCHIA,
THOMAS COLL, ANGELO CONETTA,
ROBERT J CONKLIN, DANIEL CONWAY,
JAMES CORCORAN, GEORGE COREY AND

COUSINS, ANTHONY CROCE, JAMES
CRONIN, KEVIN CROWLEY, EDWIN CRUZ,
YOLANDO CUADRADO, JOHNNY CUEVAS,
ANGELO CUOZZO, KATHLEEN CURNYN,
JOSEPH CUSUMANO, JOSEPH D'ANGELO,
GARY D'AUDREA, JOSEPH DE ROSA, FIDEL
DE VIVO, JAMES DEADY, MICHAEL
DEFILIPPS, DENNIS DELLAVALLE, ROBERT
DELPRETE, NICHOLAS DELUCA, FRANK
DEMATTEO, WILLIAM DEMENT,
CHRISTOPHER DEMURO, JOSEPH DENT,
RICHARD DEPIETRO, CONRAD DEPINTO,
DANIEL DEWITT, JULIO DIAZ, MICHAEL
DIETERICH, DAVID DIMMLER, NICHOLAS
DINATAEL, CHRIS DIRUSSO, FRANCIS
DISCOLO, JOSEPH DOHERTY, MICHAEL
DOLAN, FRANK DOLCE, HENRY DOSKOCZ,
JOHN DOWNEY, GENNE DUBELBEISS,
DEREK K. DUNSTON, ANA DURAN, ROBERT
ECHEVERRIA, STEVEN ECKERT, KEITH
EDWARDS, MICHAEL EDWARDS,
ANNMARIE ENNIS, ANTONY FABBRI,
MICHAEL FAGAN, JOSEPH FAILLA,
VINCENT FALSITTA, MICHAEL FELICE,
JEFFREY FERNANDEZ, MICHAEL
FERRADO, JOSEPH FERRARO, JOSEPH
FERRIOLO, ALBERT FERRO, KEITH FESTA,
DAMIEN FILS-AIME, THOMAS FINNEGAN,
JOHN FITZPATRICK, SALVATORE
FIUMEFREDDO, SAMUEL FONTANEZ,
JEFFREY FOSELLO, JEFFREY FREIFELD,
GARY FREITAG, ROBERT FUREY, STEPHEN
GADRY, PARAMJIT GAKHAL, FRANK
GALIA, FRANK GATO, THOMAS GEE,
GEORGE GEORGIADIS, RANDOLPH GIL,
DANIEL GLATZ, LAURENCE GOLDBERG,
DAVID GOLEMBIOWSKI AND JESSICA
GOLEMBIOSKI, LUIS GOMEZ, MOISES
GOMEZ, MICHAEL GONSIESKI, ANTHONY
GORDON, RONALD GORDON, JAMES GRAF,
MICHELLE GRANICK, ANTHONY
GRAVANO, YANTI GREENE, AARON
GREENSTEIN, LAWRENCE GREGG,
GREGORY GUARNERI, MICHAEL
GUARNIERI, PETER GUASTAMACCHIA AND
MARIA GUASTAMACCHIA, PETER GUELLA,
LISA GUERRIERO, STEPHEN GUGLIELMO,
ALBERT GUT, WILLIAM GUTCH, JUAN
GUZMAN, JULIAN HAMPDEN, STEVEN
HANLY, MAHENDRA HARIPERSAUD, JEFF
HAWER, ANTHONY HEINLEIN, CARLOS

HONORA, MICHAEL HONOVICH, CRAIG
HOO, EMMETT C HOSKINS, MIRANDELLE
HOUANCHE, ELLIOT HOUSTON, JAMES
IOVINO, BRIAN ISAACS, DANIEL JACKSON,
EDMUND JACKSON, CHRISTOPHER
JACOBELLIS, BRIAN JACOBSEN, MICHAEL
JANNAZZO, MANUEL JARAMILLO, HERVEY
JARRATT, ROBERT JERSEY, KRISTOPHER
JEZSEK, CARLOS JIMENEZ, ALFRED
JOHNSON, GARY JOHNSON, KAMEEL
JUMAN, DANIEL KAPPOCK, JOHN
KASSIMATIS AND ALEXANDRA
KASSIMATIS, THOMAS KAUFER, ROBERT
KEANE, RICHARD KEITH, TERESA KEITH,
RAYMOND KELLER, MARY ANN KELLY -
CORBETT, PATRICK KENNEDY, SCOTT
KENNEDY, STEVEN KENNEDY, STEPHEN
KEOWN, PAUL KERRIGAN, ELLIOT
KLINBORSKY, LINDA KNORPP, MICHAEL
KORABEL, KENYETTA KORNEGAY -
PICHARDO, JOHN KOSTER, DEAN
KOWALSKI, ROBERT KREISS, ROBERT
KURKOWSKI, ROY KURZ, THOMAS
KWASNAZA, NICHOLAS LABOY,
LEONARDO LAGO-CAMBEIRO, JUAN LAM,
PAMELA LAMBRIGHT, TOYA LANE,
ANTHONY LATA CZ, GEORGE LATIMER,
MAIRA LEWIS, SHARON LITROFF, STEVEN
LOMBARDI, JOHN LOMICKY, THOMAS
LOOMIS, PEDRO LOPEZ, RONALD LOWE,
RICHARD LUCIFERO, THOMAS LUGO,
SALVATORE LUMIA, WILLIAM LUONGO,
ANTHONY LUSTICA, THOMAS LYNCH,
JOHN LYONS, KEVIN MADDEN, MICHAEL
MAGENHEIM, DENNIS MAIRA, MARGARET
MAKOC, MARIANA MALDONADO, JENNY
MAMI, EDWIN MANGUAL, RAYMOND
MANISCALLO, GARY MANNINA, SCOTT
MANNINO, JEAN MANSFIELD, DONNA
MARSHALL, CHRISTOPHER MARSKI,
HECTOR MARTINEZ, MICHAEL MASSARO,
GRACIE MASSENBURG, CHRISTOPHER
MATHUS, MARK MAUCERI, BRANT
MAYNARD, LEE MAZKLOWE, BRIAN
MCALLISTER, JEFFREY MCCABE, WILLIAM
MCCABE, EVERETT MCCAIN, GREGORY
MCCORMICK, RICHARD MCCUSKER,
GERARD MCDADE, WILLIAM MCLEE, SEAN
MCNICHOLS, DAVID MEDINA, VICTOR
MELE, JAVIER MELENDEZ, SALVATORE
MESSINA, FADILA METANOVIC, LEONARD

CHRISTINE MOHR, BRIAN MONACELLI,
CARMINE MONELLO, PHILIP MONGIOVI,
JOHN MONTALBANO AND CONSTANCE
MONTALBANO, PETER MONTGOMERY,
DELVIS MORALES, PETER MORAN, PETER
MORRIS, RAHIM MORRIS, SCOTT
MORRISSEY, MILENA MORYC-DZIUBEK,
RICHARD MUELLER, ROBERT MULLIGAN,
WILFRED MUNOZ, MICHAEL MURPHY,
SHAWN MURPHY, WILLIAM MURRAY,
RICHARD NAPOLITANO, KENNETH NASH,
PAUL NEAL, WILLIAM NEDOS, JULIO
NEGRON, GEORGE NELLSON, JENNY-ANN
NELSON, JOSEPH NELSON, DARON
NESMITH, MARITZA NIEVES, MICHAEL
NOONE, MICHAEL O'BRIEN, CATHERINE
O'CONNOR, THOMAS O'DEA, PATRICK
O'SHAUGHNESSY, RICHARD OAKLEY,
JULIO OLIVENCIA, JOSEPH OPRMAILA,
ELVA ORBE, LUIS ORSINI, VICTOR OTERO,
NATHALIE PACIFICO, LUIS PADILLA,
DREW PALMER, JOHN PAOLUCCI, JOEL
PARADES, NICHOLAS PASQUAVELLO,
REYNALDO PAULINO, ROB PAULSEN,
THOMAS PEPE, ADRIAN PEREZ, IRMA
PEREZ, RAMONITA PEREZ, YVONNE
PEREZ, FRED PERLIN, ERNEST PHILLIPS,
FRANK PICIULLO, BARRY PIKAARD,
JOSEPH PIZZUTO, MICHAEL PLATE, PAUL
POGOZELSKI AND KAREN POGOZELSKI,
PIOTR POROWSKI, DAVID PROSCIA,
DONALD PRZYBYSZEWSKI, SALVATORE
PULIZZOTLO, AUOREY PUSINS, JAMES
QUILTY, RAYMOND J RAGUSA, JOSE
RAMOS, JOSEPH RANAURO, LAWRENCE
RAND, JOSE RECIO, ROBERT REID, JOSEPH
REILLY, KARYN RESKO, DAVID REVANS,
DANIEL RIVERA, DANIEL RIVERA,
GERALDO RIVERA, THOMAS ROBINSON,
ANTHONY ROCCO, COLIN ROGERS,
RICHARD ROJAS, THOMAS ROJECKI,
JAMES ROLLINS, MIECZYSLAW
ROMANIUK, JOHN ROMANO, VINCENZO
ROMANO, LAURA ROMER, DALIA
ROMERO, LISA ROSADO, RICHARD
ROSADO, BRIAN ROSS, GIOVANNINA
RUGGIERO, MARIE RUSS, PASQUALE
RUSSO, DAVID SAGER, DANIEL SALSEDO,
JEFF SALTA, LEONEL SANMARTIN AND
ANA ROSA, MARTIN SANTIAGO, ZAVEN
SAVA, JAMES SCHIRALDI, KEVIN SCHLITZ,

SESSO, FRANCIS SIBELIS, ENRIQUE SILVA,
GERALDO SILVA, THOMAS SILVA, JASON
SIMONE, RICHARD SINGH, GEORGE
SINOPIDIS, PETER SITRO, EUGENIUSZ
SKRZECZKOWSKI AND ALICJA
SKRZECZKOWSKI, MICHAEL SLOAN, PETER
SLOAN, WILLIAM SLOWSKI, CHRIS SMITH,
GODFREY SMITH, WAYNE SMITH, JOHN
SPILLANE, ROBERT ST. CLAIR, PETER
STANISICH, KEVIN STEELE, JOHN
SULLIVAN AND ROSA M SULLIVAN, MARK
TAFTE, ANA TAHA, PEDRO TAMAYO AND
GABRIELLA TAMAYO, DANIEL TARPEY,
RICHARD TAYLOR, ROBERT THOMPSON,
BRIAN P TIERNEY, BRIAN TOOHEY, ERICK
TORRES, MOSES TORRES, RUBIN TORRES,
GEORGE TULLY, MICHAEL TURCHIANO,
JENNIFER URENA, STEPHEN VACZZOLA,
ANTONIO VALENTIN, HECTOR VARGAS,
CECILIA VARICELLY, STEPHEN
VASCONCELLOS, EDGARDO VAZQUEZ,
EDGAR VILLANUEVA, LAVERN WATSON,
THOMAS WEBER, EVAN WEINBERG, KEITH
WELZ, CHRISTOPHER WENDT, DAWN
WESTCOTT, PETER WESTCOTT, GARY
WHITE, PATRICK WHITE, OLIVER WHITES,
LINDA WHITLEY-WARREN, ROBERT
WIBREN, DIANE WILLIAMS, RUDOLPH
WILLIAMS, STEPHEN WILLIAMS, BRENDAN
WINKLE, MICHAEL WITTMAN, MICHAEL
WOHN, CLARENCE WRAGG, RICHARD A
WRIGHT, RONALD YATES, BRIAN YONKER,
WILLIAM YOUNG, DEREK YUENGLING,
MARYELLEN YUREK, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
STEPHEN YUREK, AND MARYELLEN
YUREK INDIVIDUALLY, KENNETH
ZACHAR, ALEJANERO ZAPATA, SUSAN
ZAPOLUCH, JOHN ZARNOWSKI, JOHN
ZULTANKY,

Plaintiffs,

-against-

1 WORLD TRADE CENTER LLC; 1 WTC
HOLDINGS LLC; 2 WORLD TRADE CENTER
LLC.; 2 WTC HOLDINGS LLC.; 4 WORLD
TRADE CENTER LLC.; 4 WTC HOLDING LLC.;
5 WORLD TRADE CENTER LLC.; 5 WTC
HOLDING LLC.; A RUSSO WRECKING, INC.; ABM;

MANAGEMENT, INC.; AMEC EARTH &
 ENVIRONMENTAL, INC.; ANTHONY CORTESE
 SPECIALIZED HAULING LLC.; ATLANTIC HEYDT CORP.;
 BECHTEL CONSTRUCTION, INC.; BECHTEL
 CORPORATION; BECHTEL
 ENVIRONMENTAL, INC.; BERKEL &
 COMPANY, CONTRACTORS, INC.; BFP TOWER
 C Co. LLC; BIG APPLE WRECKING &
 CONSTRUCTION CORP.; BOSTON PROPERTIES;
 BOVIS LEND LEASE LMB, INC.; BOVIS LEND
 LEASE, INC.; BREEZE CARTING CORP.;
 BREEZE NATIONAL INC.; BRER-FOUR
 TRANSPORTATION CORP.; BURO HAPPOLD
 CONSULTING ENGINEERS, P.C.; C & D
 FIREPROOFING & PLASTERING CORP.; C.B.
 CONTRACTING CORP.; CANRON
 CONSTRUCTION CORP.; CANTOR SEINUK GROUP;
 CERTIFIED FENCE CORP.; CIVETTA-
 COUSINS JV, L.L.C.; CLARCOR AIR FILTRATION
 PRODUCTS, INC.; COMPONENT ASSEMBLY
 SYSTEMS, INC.; CONSOLIDATED EDISON
 COMMUNICATIONS HOLDING COMPANY,
 INC.; CONSOLIDATED EDISON COMPANY OF
 NEW YORK, INC.; CONSOLIDATED EDISON
 DEVELOPMENT, INC.; CONSOLIDATED
 EDISON ENERGY, INC.; CONSOLIDATED
 EDISON SOLUTIONS, INC.; CONSOLIDATED
 EDISON, INC.; COORDINATED METALS, INC.;
 CORD CONTRACTING CO., INC.; CRAIG TEST
 BORING COMPANY INC.; CRITICOM
 INTERNATIONAL CORPORATION; CUSHMAN
 & WAKEFIELD, Inc; D'ONOFRIO GENERAL
 CONTRACTORS CORP.; DAKOTA DEMO-
 TECH, INC.; DCM ERECTORS, INC.;
 DIAMOND POINT EXCAVATING CORP.;
 DIEGO CONSTRUCTION, INC.; DIVERSIFIED
 CARTING, INC.; DMT ENTERPRISE, INC.;
 EAGLE LEASING & INDUSTRIAL SUPPLY, INC.;
 EAGLE ONE ROOFING CONTRACTORS INC;
 EAGLE SCAFFOLDING CO., INC.; EJ DAVIES,
 INC.; EN-TECH CORP.; ET ENVIRONMENTAL;
 EVERGREEN RECYCLING OF CORONA(EROC);
 EWELL W. FINLEY, P.C.; EXECUTIVE
 MEDICAL SERVICES, P.C.; F&G
 MECHANICAL, INC.; FELIX EQUITES, INC.;
 FLEET TRUCKING, INC.; FRANCIS A. LEE
 EXTERIOR RESTORATION, INC.; FRANK
 MICELLI JR. CONTRACTING, INC.; FTI
 TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK,
 LLP, GOLDSTEIN ASSOCIATES CONSULTING
 ENGINEERS, PLLC.; GRACE INDUSTRIES, INC.; HALLEN

ELECTRIC, HIGH RISE HOISTING AND
SCAFFOLDING, INC.; JP EQUIPMENT RENTAL
MATERIALS, INC; LAQUILA CONSTRUCTION
INC.; LASTRADA GENERAL CONTRACTING CORP.;
LESLIE E. ROBERTSON ASSOCIATES CONSULTING
ENGINEERS P.C.; LIBERTY MUTUAL
INSURANCE COMPANY; LIBERTY MUTUAL
MANAGED CARE INC.; LOCKWOOD, KESSLER &
BARTLETT, INC.; LUCIUS PITKIN, INC.; LZA TECH-
DIV OF THORTON TOMASETTI; MANAFORT
BROTHERS INCORPORATED; MAZZOCCHI WRECKING,
INC.; MENT BROS. IRON WORKS CO., INC.;
MERIDIAN CONSTRUCTION GROUP; MOODY'S
INVESTORS SERVICE; MRA ENGINEERING, PC;
MUESER RUTLEDGE CONSULTING
ENGINEERS, INC; MUSCO SPORTS LIGHTING, LLC.;
NACIREMA INDUSTRIES INCORPORATED; NEW YORK
CRANE & EQUIPMENT CORP.; NYC INDUSTRIAL
DEVELOPMENT AGENCY; NICHOLSON
CONSTRUCTION COMPANY; OLYMPIC PLUMBING &
HEATING CORP.; OVE ARUP & PARTNERS P.C.;
PARSON GROUP, INC.; PETER SCALAMANDRE &
SONS, INC.; PINNACLE; PINNACLE
ENVIRONMENTAL CORP.; PLAZA CONSTRUCTION
CORP.; PLAZA CONSTRUCTION
MANAGEMENT CORP.; PRO SAFETY SERVICES
LLC.; PT & L CONTRACTING CORP.; REGIONAL
SCAFFOLDING & HOISTING CO., INC.; ROBER
SILMAN ASSOCIATES; ROBERT ERRAT;
ROBERT L. GEROSA, INC.; ROYAL GM, INC;
SAB TRUCKING INC.; SAFEWAY ENVIRONMENTAL
CORP.; SEASONS INDUSTRIAL CONTRACTING;
SHELDRAKE ORGANIZATION, INC.; SILVERITE
CONTRACTING CORPORATION; SILVERSTEIN
DEVELOPMENT CORP; SILVERSTEIN
PROPERTIES INC; SILVERSTEIN
PROPERTIES; SILVERSTEIN WTC FACILITY
MANAGER LLC.; SILVERSTEIN WTC LLC;
SILVERSTEIN WTC MGMT CO. LLC.;
SILVERSTEIN WTC PROPERTIES LLC.;
SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE,
OWING & MERRILL LLP; STAR DELTA ELECTRIC,
INC.; STIER ANDERSON, LLC.; SURVIVAIR;
TISHMAN CONSTRUCTION CORPORATION
OF MANHATTAN; TISHMAN
CONSTRUCTION CORPORATION OF NEW
YORK; TISHMAN SPEYER PROPERTIES;
TOMASETTI GROUP, INC.; TORRETTA
TRUCKING, INC.; TOTAL SAFETY CONSULTING,
L.L.C.; TRIO ASBESTOS REMOVAL; TUCCI EQUIPMENT
RENTAL CORP.; TULLY CONSTRUCTION CO.,

INDUSTRIES, INC.; TURNER CONSTRUCTION
CO.; TURNER CONSTRUCTION COMPANY;
TURNER CONSTRUCTION INTERNATIONAL,
LLC.; ULTIMATE DEMOLITION/CS HAULING
(JOINT VENTURE); UNITED STATES REBAR, INC.;
VOLLMER ASSOCIATES LLP.; W HARRIS & SONS
INC.; WEEKS MARINE, INC.; WEIDLINGER
ASSOCIATES, CONSULTING ENGINEERS, P.C.;
WESTFIELD AMERICA, INC; WESTFIELD
WTC HOLDING LLC; WESTFIELD WTC, LLC.;
WFP TOWER D. Co., LP; WHITNEY CONTRACTING
INC.; WOLKOW-BRAKER ROOFING CORP.; WORLD
TRADE CENTER PROPERTIES LLC.;
YANNUZZI & SONS, INC; YONKERS
CONTRACTING COMPANY, INC.; YORK HUNTER
CONSTRUCTION, LLC; ZIEGENFUSS DRILLING, INC.,

Defendants.

X

530 Fifth Avenue-18 Floor
New York, New York 10036

1 WTC HOLDINGS LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

120 BROADWAY HOLDING, LLC,
C/O SILVERSTEIN PROPERTIES
530 FIFTH AVENUE-18TH FLOOR
NEW YORK, NY 10036

2 WORLD TRADE CENTER LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

2 WTC HOLDINGS LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

4 WORLD TRADE CENTER LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

4 WTC HOLDINGS LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

5 WORLD TRADE CENTER LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

5 WTC HOLDINGS LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

A RUSSO WRECKING
69 East Avenue
Lawrence, NY 11559

ABM INDUSTRIES, INC.
170 HAMILTON AVENUE
WHITE PLAINS, NEW YORK 10601

ABM JANITORIAL NORTHEAST,
INC.
280 TRUMBULL STREET, 22 FLOOR
NEW YORK, HARTFORD, CT 06103

AMEC CONSTRUCTION
MANAGEMENT, INC.
1633 Broadway 24th Flr
New York, NY 10019

AMEC EARTH &
ENVIRONMENTAL, INC.

1726 FLATBUSH AVENUE
BROOKLYN, NY 11210

EAGLE ONE ROOFING
CONTRACTORS INC.,
18-60 45th Street
Astoria, NY 11105

EAGLE SCAFFOLDING CO
67 Mill Street
Amityville, NY 11701

EJ DAVIES, INC.,
1837 Steinway Street
Astoria, NY 11105

EN-TECH CORP
C/O SACKS MONTGOMERY
Attn: Rick Rohn
800 Third Avenue
New York, NY 10022

ET ENVIRONMENTAL
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

EVERGREEN RECYCLING OF
CORONA
127-50 Northern Blvd
Flushing, NY 11368

EWELL W. FINLEY, P.C.,
34-18 Northern Boulevard
Long Island City, NY 11101

EXECUTIVE MEDICAL SERVICES,
P.C.,
15 Canal Road
Pelham Manor, NY 10803

F&G MECHANICAL, INC.,
348 New Country Road
Secaucus, NJ 07094

FELIX EQUITIES, INC.
C/O MATT VERUILEN
202 Lovell Street
Lincolndale, NY 10540

FLEET TRUCKING, INC.
457 BLAKE AVENUE # 1
BROOKLYN, NY 11212

FRANCIS A. LEE COMPANY, A

MANAGEMENT CORP.
43 New Dorp Plaza
Staten Island, NY 10014

PRO SAFETY SERVICES, LLC
c/o John Raucci
2500 Westchester Avenue
Purchase, NY 10577

PT & L CONTRACTING CORP
1 Kalisa Way Ste 301
Paramus, NJ 07652

REGIONAL SCAFFOLD & HOISTING
CO, INC.,
3900 Webster Avenue
Bronx, NY 10470

ROBER SILMAN ASSOCIATES
88 University Place
New York, NY 10003

ROBERT L GEROSA, INC
122 West Sheffield Avenue
Englewood, NJ 07631

ROYAL GM INC.,
112 Clarke Avenue
Staten Island, NY 10306

SAB TRUCKING INC.
C/O SAVERIO ANASTASIO
7 Pironi Court
Woodbury, NY 11797

SAFEWAY ENVIRONMENTAL CORP
1379 Commerce Avenue
Bronx, NY 10461

SEASONS INDUSTRIAL
CONTRACTING,
266 GREEN VALLEY RD
STATEN ISLAND, NY 10312

SHELDRAKE ORGANIZATION, INC.
80 N. Franklin Street
Hempstead, NY 11550

SILVERITE CONTRACTORS
520 Old Country Road
Hicksville, NY 11801

SILVERSTEIN DEVELOPMENT
CORP.
529 Fifth Avenue
New York, NY 10017-4608

ATLANTIC HEYDT CORP
1281 METROPOLITAN AVE
BROOKLYN, NY 11237

BECHTEL CONSTRUCTION, INC.,
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

BECHTEL CORPORATION
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

BECHTEL ENVIRONMENTAL,
INC.,
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

BERKEL & COMPANY,
CONTRACTORS, INC.,
C/O NATIONAL REGISTERED
AGENTS, INC.,
875 Avenue fo the Americas, Suite
501
New York, NY 10001

BFP Tower C Co. LLC,
C/O UNITED CORPORATE
SERVICES, INC.
10 BANK STREET, SUITE 560
WHITE PLAINS, NY 10606

BIG APPLE WRECKING &
CONSTRUCTION CORP
1379 Commerce Avenue
Bronx, NY 10461

BOVIS LEND LEASE LMB, INC.
c/o Mound Cotton Wollan &
Greengrass
One Battery Park Plaza
New York, NY 10004
Or-
200 Park Avenue
New York, NY 10166

BOVIS LEND LEASE, INC.
c/o Mound Cotton Wollan &
Greengrass
One Battery Park Plaza
New York, NY 10004
Or-

FRANCIS MICELLI JR
CONTRACTING

FTI TRUCKING
14930 Powells Cove Boulevard
Whitestone, NY 11357

GILSANZ MURRAY STEFICEK,
LLP
129 West 27th Street 5th Flr
New York, NY 10001

GOLDSTEIN ASSOCIATES
CONSULTING ENGINEERS, PLLC
31 West 27th Street
New York, NY 10001

GRACE INDUSTRIES, INC.
151-21 6th Road
Whitestone, NY 11357-1206

HALLEN WELDING SERVICE, INC.
45-24 37th Street
Long Island City, NY 11101

HELMSMAN MANGEMENT
SERVICES, INC.
C/O CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

HGC CONTRACTING CORP
5201 Flushing Ave
Brooklyn, NY 11237

HIGH-RISE ELECTRIC, INC.,
55 W. 58th Street
New York, NY 10019

HIGH-RISE HOISTING AND
SCAFFOLDING, INC
2820 Borden Avenue
Long Island City, NY 11101

JP EQUIPMENT RENTAL
MATERIALS, INC.,
140 GRAND STREET, SUITE 501
WHITE PLAINS, NY 10601

LAQUILA CONSTRUCTION INC
1590 Troy Avenue
Brooklyn, NY 11234

LASTRADA GENERAL

530 Fifth Avenue-18 Floor
New York, New York 10036

SILVERSTEIN PROPERTIES
530 Fifth Avenue-18 Floor
New York, New York 10036

SILVERSTEIN WTC FACILITY
MANAGER LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

SILVERSTEIN WTC LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

SILVERSTEIN WTC MGMT CO LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

SILVERSTEIN WTC PROPERTIES
LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

SIMPSON GUMPERTZ & HEGER INC
C/O NATIONAL REGISTERED
AGENTS, INC.,
875 Avenue of the Americas, Suite 501
New York, NY 10001

SKIDMORE OWINGS & MERRILL
LLP
14 Wall Street
New York, NY 10005-2101

STAR DELTA ELECTRIC
17 Battery Pl., Room 203
New York, NY 10004

STIER ANDERSON LLC
30 Vreeland Drive
Skillman NJ 08558

SURVIVAIR
3001 S SUSAN ST
SANTA ANA, CA 92704

TISHMAN CONSTRUCTION
CORPORATION
OF MANHATTAN
666 Fifth Avenue
New York, NY 10103

TISHMAN CONSTRUCTION
CORPORATION

BREEZE CARTING CORP
31 Bay Street
Brooklyn, NY 11231

BREEZE NATIONAL, INC.,
31 Bay Street
Brooklyn, NY 11231

BRER-FOUR TRANSPORTATION
CORP.
33 Hewitt Street
Hicksville, NY 11801

BURO HAPPOLD CONSULTING
ENGINEERS, P.C.,
105 Chambers Street
New York, NY 10007

C & D FIREPROFFING &
PLASTERING CORP
48 Walnut Street
New Rochelle NY 10801

C.B. CONTRACTING CORP
4118 Victory Blvd
Staten Island, NY 10314

CANRON CONSTRUCTION CORP
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

CANTOR SENUK GROUP
228 East 45th Street
New York, NY 10017

CERTIFIED FENCE CORP.
59 Grant Street
Harrison New York 10528

CIVETTA-COUSINS JV, L.L.C
1100 East 156th Street
Bronx, NY 10474

CLARCOR AIR FILTRATION
PRODUCTS, INC.
C/O CT CORPORATION SYSTEM
111 EIGHTH AVENUE
NEW YORK, NY 10011

COMPONENT ASSEMBLY
SYSTEMS, INC.,
620 Fifth Avenue
Pelham NY 10803

LESLIE E. ROBERTSON
ASSOCIATES CONSULTING
ENGINEER P.C.
170 Hamilton Avenue
White Plains, NY 10601

LIBERTY MUTUAL INSURANCE
COMPANY
1818 MARKET STREET
PHILADELPHIA, PA 19103

LIBERTY MUTUAL INSURANCE
COMPANY
630 MORRISON ROAD SUITE 300
GAHANNA, OH 43230

LIBERTY MUTUAL INSURANCE
COMPANY
3850 NORTH CAUSEWAY
BOULEVARD SUITE 600
METAIRIE, LA 70002

LIBERTY MUTUAL INSURANCE
COMPANY
165 DARTMOUTH STREET
BOSTON, MA 02116

LIBERTY MUTUAL MANAGED
CARE, INC.,
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

LOCKWOOD KESSLER &
BARTLETT, INC.
One Aerial Way
Syosset, New York 11791

LUCIUS PITKIN, INC
50 Hudson Street
New York, NY 10013-3389

LZA TECH-DIV OF THORTON
TOMASETTI
641 Avenue of the Americas
New York, NY 10011

MANAFORT BROTHERS, INC.
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

MAZZOCCHI WRECKING, INC.
C/O CT CORPORATION SYSTEM

TISHMAN SPEYER PROPERTIES,
666 5TH AVENUE, 12TH FLOOR
NEW YORK, NY 10103

TOMASETTI GROUP
641 Avenue of the Americas
New York, NY 10011

TORRETTA TRUCKING, INC
120 MOUNTAINVIEW AVENUE
STATEN ISLAND, NY 10314

TOTAL SAFETY CONSULTING,
L.L.C
C/O THELLC
5 Court Square
Long Island City, NY 11101

TUCCI EQUIPMENT RENTAL CORP
3495 Rombouts Avenue
Bronx, NY 10475

TULLY CONSTRUCTION CO., INC.
127-50 Northern Blvd
Flushing, NY 11368
Or-
c/o Mound Cotton Wollan & Greengrass
One Battery Park Plaza
New York, NY 10004

TULLY CONSTRUCTION COMPANY
127-50 Northern Blvd
Flushing, NY 11368
Or-
c/o Mound Cotton Wollan & Greengrass
One Battery Park Plaza
New York, NY 10004

TULLY ENVIRONMENTAL INC.
127-50 Northern Blvd
Flushing, NY 11368

TULLY INDUSTRIES, INC.,
127-50 Northern Blvd
Flushing, NY 11368
Or-
c/o Mound Cotton Wollan & Greengrass
One Battery Park Plaza
New York, NY 10004

TURNER CONSTRUCTION CO.
375 Hudson Street
New York, NY 10014

COMPANY, INC.,
4 Irving Place
New York, New York 10003

CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.,
4 Irving Place
New York, New York 10003

CONSOLIDATED EDISON
DEVELOPMENT, INC.,
4 Irving Place
New York, New York 10003

CONSOLIDATED EDISON
ENERGY, INC.,
4 Irving Place
New York, New York 10003

CONSOLIDATED EDISON
SOLUTIONS, INC.,
4 Irving Place
New York, New York 10003

CONSOLIDATED EDISON, INC.,
4 Irving Place
New York, New York 10003

CONSULTING ENGINEERS, P.C.

COORDINATED METALS, INC.,
626 16th Street
Carlstadt, NJ 07072

CORD CONTRACTING CO., INC
213 Roslyn Road
Roslyn Height, NY 11577

CRAIG TEST BORING COMPANY
INC.
PO Box 427
Mays Landing, NJ 08330

CRITICOM INTERNATIONAL
CORPORATION
99 Pine Street, 3rd Floor
Albany, NY 12207

CUSHMAN & WAKEFIELD, INC.,
C/O CORPORATION SYSTEM
111 EIGHTH AVENUE
NEW YORK, NY 10006

D'ONOFRIO GENERAL
CONTRACTORS CORP
202 28th Street

MENT BROS. IRON WORKS CO.,
INC.,
150 West 22nd Street
New York, NY 10011

MERIDIAN CONSTRUCTION
CORP.
29 Grasmere Court
Staten Island, NY 10305

MOODY'S INVESTORS SERVICE,
C/O CT CORPORATION SYSTEM
111 8TH AVENUE
NEW YORK, NY 10011

MRA ENGINEERING P.C.,
600 Hempstead Turnpike
West Hempstead, NY 11552-1036

MUESER RUTLEDGE
CONSULTING ENGINEERS
225 West 34th Street
New York, NY 10122

MUSCO SPORTS LIGHTING, LLC
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

NACIREMA INDUSTRIES
INCORPORATED
211 West 5th Street
Bayonne, NJ 07002

NEW YORK CRANE &
EQUIPMENT CORP.
Brooklyn Navy Yard
Brooklyn, NY 11205

NICHOLSON CONSTRUCTION
COMPANY
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

NYC INDUSTRIAL DEVELOPMENT
AGENCY
C/O SILVERSTEIN PROPERTIES
530 FIFTH AVENUE-18TH FLOOR
NEW YORK, NY 10036

OLYMPIC PLUMBING & HEATING
CORP
COOPERMAN LEVITT &
WINIKOFF, P.C.

375 Hudson Street
New York, NY 10014

TURNER CONSTRUCTION
INTERNATIONAL, LLC.
375 Hudson Street
New York, NY 10014

ULTIMATE DEMOLITIONS/CS
HAULING
500 New Street
Oceanside, NY 11572

UNITED STATES REBAR, INC.,
332 N. Main Street
Freeport, NY 11520

VOLLMER ASSOCIATES LLP
50 West 23rd Street
New York, NY 10010

W HARRIS & SONS INC
37 West Washington Avenue
Pearl River, NY 10965

WEEKS MARINE, INC.
4 Commerce Drive
Cranford, NJ 07016

WEIDLINGER ASSOCIATES,
CONSULTING ENGINEERS, P.C.,
375 Hudson Street, 12th Floor
New York, NY 10014

WESTFIELD AMERICA, INC.
11601 Wilshire Boulevard
Los Angeles, CA 90025

WESTFIELD WTC HOLDING LLC.
C/O CT Corporation System
111 Eighth Avenue
New York, NY 10011

WESTFIELD WTC, LLC
C/O CT Corporation System
111 Eighth Avenue
New York, NY 10011

WFP TOWER D. Co., LP,
222 BROADWAY
NEW YORK, NY 10006

WHITNEY CONTRACTING INC.
636 Saw Mill River Road
Yonkers, NY 10701

Case 1:06-cv-02892-AKH Document 1 Filed 04/12/06 Page 28 of 31
DAKOTA DEMO-TECH
140 Old Northport Road
Kings Park, NY 11754

DCM ERECTORS, INC
110 E. 42nd Street, Ste 1710
New York, NY 10017

DIAMOND POINT EXCAVATING
CORP
c/o ELIZABETH L. CROZZOLI
134-32 57th Avenue
Flushing, NY 11355

DIEGO CONSTRUCTION, INC.
C/O BUCKLEY TREACY
SCHAFFEL MACKEY ABBATE &
MOORE, ESQS
1157 60th Street
Brooklyn, NY 11209

DIVERSIFIED CARTING, INC.
28 Garfield Avenue
Bayshore, NY 11706

DMT ENTERPRISE, INC.
255 Lake Avenue
Yonkers, NY 10701

OVE ARUP & PARTNERS P.C.,
155 Avenue of the Americas
New York, NY 10013

PARSON GROUP
70 East 55th Street 5th Floor
New York, NY 10022

PETER SCALAMANDRE & SONS,
INC.
157 Albany Avenue
Freeport, NY 11520

PINNACLE ENVIRONMENTAL
CORP
c/o Paul O'Brien
64-54 Maurice Avenue
Maspeth, NY 11378

PLAZA CONSTRUCTION CORP.
140 Palma Drive
New York, NY 10304

68 Coar Street, Suite 2200
Brooklyn, NY 11241

WORLD TRADE CENTER
PROPERTIES LLC
530 Fifth Avenue-18 Floor
New York, New York 10036

YANNUZZI & SONS INC
56 Oakwood Avenue
Orange, NJ 07050

YONKERS CONTRACTING
COMPANY, INC.,
969 Midland Avenue
Yonkers NY 10704

YORK HUNTER CONSTRUCTION,
LLC
107 Old Goshen Road
South Seaville, NJ 08246

ZIGENFUSS DRILLING, INC.,
C/O CT CORPORATION SYSTEM
111 Eighth Avenue
New York, NY 10011

ATTORNEY VERIFICATION

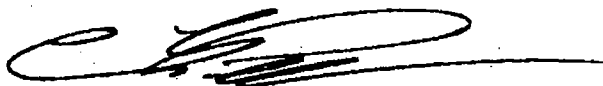
CHRISTOPHER R. LOPALO, an attorney at law, duly admitted to practice in the Courts of the State of New York, affirms under the penalties of perjury that:

He is the attorney for the plaintiff(s) in the above-entitled action. That he has read the foregoing SUMMONS WITH NOTICE and knows the contents thereof, and upon information and belief, deponent believes the matters alleged therein to be true.

The reason this Verification is made by deponent and not by the plaintiff(s) is that the plaintiff(s) herein reside(s) in a county other than the one in which the plaintiff's attorneys maintain their office.

The source of deponent's information and the grounds of his belief are communication, papers, reports and investigation contained in the file.

DATED: New York, New York
February 16, 2006



CHRISTOPHER R. LOPALO, Esq.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

=====

Rosa Vivar (and Husband, Wilson Vivar),
Plaintiff(s)

- against -

1 WORLD TRADE CENTER LLC, ET AL

Defendant(s).

=====

SUMMONS WITH NOTICE

=====

WORBY GRONER EDELMAN & NAPOLI BERN, LLP

Attorneys for: Plaintiff(s)

Office and Post Office Address, Telephone

115 Broadway - 12th Floor

New York, New York 10006

(212) 267-3700

=====

To
Attorney(s) for

=====

Service of a copy of the within
is hereby admitted.

Dated,

Attorney(s) for

=====

PLEASE TAKE NOTICE:

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of an
duly entered in the office of the clerk of the within named court on 20

☐ NOTICE OF SETTLEMENT

that an order of which the within is a true copy
will be presented for settlement to the HON. one of the

judges of the

within named Court, at

on 20 at M.

Dated,

Yours, etc.,

WORBY GRONER EDELMAN & NAPOLI BERN, LLP

=====